

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Jeremy Bailey,
Plaintiff,

Civil Action No. 1:20-CV-1836

V.

District Judge: Kane

Lieutenant Yoder
John Doe(s) et al.,
Defendants,

FILED
SCRANTON

JUL 23 2021

DECLARATION
of
Jeremy Bailey

PER

DERUTY CLERK

Jeremy Bailey, hereby declares: I am still suffering an ongoing of illegal practice by the defendant Lieutenant Yoder and each of his agents and employers all acting in participation or in concert, such as: staff on inmate sexual assault, staff on inmate sexual harassment, staff on inmate verbal threats to cause bodily harm, a pattern of inadequate medical care, and a continuing of other violations to the plaintiff,

Jeremy Bailey Constitutional rights.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Coaltownship, pa on Date: 5.18.2021.

93
Jeremy Bailey
(SCT) Coaltownship
1 Kelley Drive
Coaltownship pa 17866

CC.

Form DC-135A

Commonwealth of Pennsylvania
Department of Corrections

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

2. Date:

3. By: (Print Inmate Name and Number)

4. Counselor's Name:

5. Un Manager's Name:

6. Work Assignment:

7. Hr ing Assignment:

8. Subject: State your request completely but briefly. Give details.

ON 11.1.2020 APPROX: 7:00 AM WHILE I WAS RETRIEVING MY BREAKFAST BAG FROM C/O BEAVER, SHE GRAB ON TO MY HAND AND PUT MY HAND WHEN I PULLED AWAY FROM HER. SHE SAID IT'S GOING TO BE A ASSAULT IF I WOULD HAVE DRAGGING HER FINGER NAIL. ON 11.1.2020 APPROX: 10:35-10:40 AM WHILE I AM GETTING UNDRESS IN THE SHOWER C/O BEAVER CAN BE SEEN LEANING BACK IN THE CHAIR STEERING RIGHT UP AT ME AND SHE DOES IT FOR ABOUT 5-10 MINUTE STRAIGHT. AND WHILE I WAS TAKING A SHOWER SHE CONTINUED TO TRY TO LOOK UNDER THE SHOWER DOOR WHEN I DID GET OUT OF THE SHOWER APPROX: 10:50-10:55 AM SHE WAS REFUSING TO OPEN THE CELL THAT I AM HOUSED IN (C/O CELL-C.A) SHE THEN BEGAN TO TALK TO (C/O SGT BEAVER OR BEAVER) ABOUT ME AND I COULD HEAR HER SAY WE WILL GET HIT. SHE IS FOLLOWING

9. Response: (This Section for Staff Response Only)

ME FROM UNIT TO UNIT. SHE WORKS C.B UNIT. NOW THAT I AM ON C.A UNIT SHE HAVE COME WORK OVER HERE. I HAVE ALREADY FILE A GRIEVANCE AGAINST HER FOR REFUSING ME BREAKFAST ON 10.19.2020 / grievance # 893414. NOW SHE IS SEXUALLY HARASSING ME AND TRYING TO SET ME UP WITH SEXUAL CONDUCT. I NEED TO BE PROTECTED FROM RETALIATION AND SEXUAL HARASSMENT. PLEASE VIEW THE CAMERA'S SHE IS ON THE UNIT SAYING SHE CAN DO WHATEVER SHE WANT BECAUSE SHE A C/O.

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

STAFF MEMBER NAME

Print

Signature

DATE

Revised & forwarded on 11/21

CC

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) Linda Christman		2. Date: 11-1-2020	
3. By: (Print Inmate Name and Number) Jeremy Bailey L24437		4. Counselor's Name: _____	
5. Unit Manager's Name: _____		6. Work Assignment	
7. Housing Assignment CA 61		8. Subject: State your request completely but briefly. Give details. <p>DN 11-1-2020 approx: 10:25-10:30 AM (C/O Sgt Boewer or Boewen) Came to CA Unit Convicted C/O Beaver to move from behind the desk and sat at the desk and just stare at me while I was on the phone. you can view the cameras to see the correction with him and C/O Beaver behind the desk. I have be at (SCT) Coal Township for 1 year and (C/O Sgt Boewer or Boewen) have never work C-unit since I've been here. he work E-unit where he sexually harassed me while I was in shower over there E-unit blowing kisses at me. on 11-1-2020 approx: 10:55-10:58 AM while I was standing at the cell door 61 where I am housed as King C/O Beaver to open the door she began talking about me to him and I can hear him say we are going to get him he is also following from unit to unit. and that is fact's</p> <p><i>Response (this section for Staff Response Only)</i></p> <p>I want to be protected from sexual harassment and retaliation. he is trying to set me up with false conduct and harassing me sexually in the past. I have recent filed a 1983 U.S.C. 280 to District Court against various C/O in this facility and I believe I need to protect from retaliation.</p> <p>Barley, This is forwarded to Lt. Neitz, PREA Lt. for his review. <i>Off Capt. Bailey</i> <i>Lt. Neitz</i></p>	
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

STAFF MEMBER NAME

Print

Signature

DATE

Received & forwarded on 11/2/20

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more completely and intelligently.	
1. To: (Name and Title of Officer) <i>Capt / pre Compliance Manager</i>		2. Date: <i>12.3.20</i>	
3. By: (Print Inmate Name and Number) <i>Cherry Bailey 624127</i>		4. Counselor's Name: _____	
Inmate Signature <i>[Signature]</i>		5. Unit Manager's Name: _____	
6. Work Assignment: _____		7. Housing Assignment: <i>CA 61</i>	
8. Subject: State your request completely but briefly. Give details. <p><i>Cherry Bailey is Continue to Harass me, on 12.3.20 During Facility Count. She Continue to Stand at the Cell door and Stare at me, when I turned on the Cell light. She also is trying to get physical Contact with me During Daily Counts. and she is on the unit telling other people I put Complaint in on her and that I told on her.</i></p> <p><i>Can you please Keep her away from me. She trying to start something with me and others on the unit by telling them I told on her. She told them she won't be doing any favors for them because I put a Complaint on her for touching me.</i></p> <p><i>She is trying to get me attack by others on the unit.</i></p>			
9. Response: (This Section for Staff Response Only)			
<p><i>Mr Bailey, This request slip is forwarded to Capt Burns and Lt Neitz for their review per DC-ADMIN 8.</i></p> <p style="text-align: center;"><i>cc: Capt Burns</i> <i>Lt Neitz</i></p>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

STAFF MEMBER NAME *Chitman* *Mr Chitman*
Print Signature

Received
+ forwarded
DATE *01/27/20*

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) <u>CCPR/ Area Compliance Manager</u>		2. Date: <u>11.13.2020</u>	
3. By: (Print Inmate Name and Number) <u>Jeremy Bailey 124434</u>		4. Counselor's Name: _____	
Inmate Signature <u>[Signature]</u>		5. Unit Manager's Name: _____	
6. Work Assignment _____		7. Housing Assignment <u>C.A 61</u>	
8. Subject: State your request completely but briefly. Give details. <u>I WAS INTERVIEW AND I WAS ASK A QUESTION WHETHER I WAS EVER VICTIMIZE WHILE IN THE (SCI) AND MY ANSWER IS YES ON 9.10.19.</u>			
9. Response (This Section for Staff Response Only) <u>Mr Bailey, I'm forwarded this to Lt Neitz to review. I note that you were given a screening on 11-6-20 but you responded No to that question on 11-6-20. Lt Neitz will follow up with you as it appears you are making a new PRA allegation.</u>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

STAFF MEMBER NAME

Chismar
Print

Mrs Chismar
Signature
DATE 11-16-20

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) <i>CCPR/Rec Compliance Manager</i>		2. Date: <i>11-16-20</i>	
3. By: (Print Inmate Name and Number) <i>Jeremy Bailey 124434</i>		4. Counselor's Name: _____	
5. Unit Manager's Name: _____		6. Work Assignment: _____	
7. Housing Assignment: <i>C-461</i>		8. Subject: State your request completely but briefly. Give details. <i>I want to report retaliation from the unit manager Williams of C-Unit. I sent a Inmate Parpervis application to Accountant Jacob Darfiter on 10-13-20. Accountant Jacob Darfiter sent the application back on 10-26-20 and the entire time unit manager Williams was holding my application refusing to give it to me.</i> <i>He has also been having C/O Beaver work on the unit who continue to tried to have physical contact with me. Using the pass out of meals daily.</i> <i>he is continuing to hold my institutional mail now and refusing to give it to me.</i>	
9. Response (This Section for Staff Response Only) <i>Mr. Bailey, I'm forwarding your request slip to Mr. Neitz to investigate and add your Retaliation claim to your open PRA investigation.</i>			
<div style="text-align: right;"> <i>Ces Capt Burns</i> <i>11/18/20</i> </div>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

STAFF MEMBER NAME

Chrisman
 Print

M/K Chrisman
 Signature
DATE *11/18/20*
Received + forwarded on

Form DC-135A

Commonwealth of Pennsylvania
Department of Corrections

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

2. Date:

12.26.20

3. By: (Print Inmate Name and Number)

4. Counselor's Name:

5. Unit Manager's Name:

6. Work Assignment:

7. Housing Assignment:

F.B 21

8. Subject: State your request completely but briefly. Give details.

I am now on F.B 21 Cell, and since being on the unit (C/O Kopp Sgt) has been continue to call me personal name's like Sugar, Sweetie, and sweetheart. I am feeling sexually harassed.

I also want to report that I heard her say she is going to write me up and send me to the B.H.U before I see parole again.

I has wrote Grievances on her and her son earlier this year for threatening me and again sexually harassing me while I was on EA unit.

9. Response: (This Section for Staff Response Only)

Mr. Bailey

I'm forwarding this request slip to C. Neitz / People for his review, according to R-ADM 108.

C. Neitz
C. Neitz

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

STAFF MEMBER NAME

Chrisman
Print

M.B. Chrisman
Signature

DATE

Received & forwarded
1/4/21

Attachment 3-A

Form DC-135A

Commonwealth of Pennsylvania
Department of Corrections

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

2. Date:

3. By: (Print Inmate Name and Number)

4. Counselor's Name:

5. Unit Manager's Name:

6. Work Assignment:

7. Housing Assignment:

8. Subject: State your request completely but briefly. Give details

Clo Breen has proven to be actually following me from unit to unit. on 1.15.21, Clo Breen came to F-P Unit and continue to watch me in the shower and make inappropriate comment about me. and when I ask him to open the cell door after a shower on 1.16.21 Clo Breen refuse to open the cell door. I also heard him saying he was going to write me up on a misconduct saying I refuse order.

9. Response (This Section for Staff Response Only)

M. Bailey This request slip has been forwarded to Lt. Nantz, PREA Unit, for his review per DC-000008

CAIC Det Breen
Lt. Nantz

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

STAFF MEMBER NAME

Chismar
Print

M. Chismar
Signature

Received & forwarded on
DATE 1/25/21

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. Tq: (Name and Title of Officer)

4. (Name and Title of Officer)
Inda Chislar

2. Date:

1.26.21

3. By: (Print Inmate Name and Number)

by: (Print Inmate Name and Number)
 Jerry Bailey L24437

4. Counselor's Name:

5. Unit Manager's Name:

6. Work Assignment:

7. Housing Assignment:

F.B. 21

8. Subject: State your request completely but briefly. Give details.

8. Subject: State your request completely but briefly. Give details.

I want to report a retaliation on Unit Manager Dunn who does not act apart as a Unit Team Unit Manager but instead as a Inmate. I have reported previous Sexual harrass report on C/O Kopp Sgt and (C/O Sgt) Boerlan and since unit Manager Dunn have not follow up on phone list I have filed and reported torn-old-filthy mattress I have been itching. Fbrl. unit Manager has also had C/O's work the unit who I has reported of following me around the Facility. Sexually harrassing me. He has not been answering request forms I have filed and I filed a Grievance of 1-25-21 regarding Unit Manager Dunn inappropriate behavior. toward me. When request ~~for~~ a new mattress

PLEASE SEND ME MY COPY

9. Response (This Section for State Response Only)

In Bailey's I'm forwarding this to Lt. Neitz to review but I see nothing PRA related here.

A spoke to LHM DAWN. Visitor lists process only from the first and the fifth day of the month. First team sent many in this week to get processed. Secondly, he has no new mattresses to give out right now. So be patient. Staff have no knowledge of PROA reports, only those who absolutely need to know.

To DC-14 CAR only ☐ *Then not notational* To DC-14 CAR and DC-15 IRS ☐

STAFF MEMBER NAME

Ch. Smer
Print

M. S. Chandra
Signature

DATE on
2/3/21

cc: Capt Byrnes
Lt Neitz

Form DC-135A

Commonwealth of Pennsylvania
Department of Corrections

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

Linda Christman

2. Date:

3. By: (Print Inmate Name and Number)

Jeremy Bailey 124434

4. Counselor's Name:

5. Unit Manager's Name:

6. Work Assignment:

7. Housing Assignment:

FB/1021-01

8. Subject: State your request completely but briefly. Give details.

On 6-9-2021, approx 3:30 PM, During yard time, I was walking towards the yard gate when C/O Sgt Kopp told C/O H.A. Lower to search me. When C/O Lower began to search me he grab me by the back of my neck, and began rubbing of my back with his other hand. When I move away from C/O Lower and tried to correct him about how to conduct a pat search he threaten to write me on a misconduct. C/O Lower began to rub on my butt and grab my penis when he began to search me the second time while grabbing me by the back of my neck again. he sexually assaulted me and I want to press charges he use the search to sexually assault me and he was order by C/O Sgt Kopp I also have a witness

9. Response (This Section for Staff Response Only)

Mr. Bailey,

This request slip has been forwarded to Lt. Neitz, PREBA
Lt. for his review and follow up per DC-100008.

Clt Capt. Burd
Lt Neitz

Received in
U.S. mail on

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

STAFF MEMBER NAME

Chenier
Print

Mrs. Chin
Signature

DATE 6/15/21
060920 hrs.

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA

Jeremy Bailey,
Plaintiff,

V.

Lieutenant Yoder
John Doe (s) et al.,
Defendants,

•
•
•
• Civil Action No. 1:20-CV-1836

•
• District Judge: Yvette Kane

ORDER TO CAUSE FOR A
TEMPORARY RESTRAINING
ORDER INJUNCTION

Upon the complaint, the supporting affidavits of plaintiff, and the memorandum of law submitted herewith, it is:

ORDERED that defendants lieutenant Yoder, and John Doe(s) et al, show cause in room _____ of the United States Courthouse, 238 North Washington Avenue, P.O. Box 1148, Scranton, PA 18501-1148 or 228 Walnut Street, P.O. Box 983, Harrisburg, PA 17108. on the _____ day of _____ 20____ at _____

o'clock, why a preliminary injunction should not issue pursuant to Rule 65 (e) of the Federal Rules of Civil Procedure enjoining the defendants, their successors in office, agents and employees and all other persons acting in concert and participation with them, from a pattern of Correctional officers on inmate sexual assault and sexual harassment, a pattern of Facility staff on inmate sexual harassment, and verbal threats to cause bodily harm, a continuing pattern of inadequate medical care, and a continue of violations of the plaintiff, Bailey, Jeremy Constitutional rights.

IT IS FURTHER ORDERED that effective immediately, and pending the hearing and determination of this order to show cause, the defendant's Lieutenant Yoder and John Doe(s) et al, and each of their officers, agents, employees, and all persons acting in concert or participation with them, are restrained from, Correctional officers on inmate sexual assault and sexual harassment, a pattern of Facility staff on inmate sexual harassment, and verbal threats to cause bodily harm, a continuing pattern of inadequate medical care, and a continue of violations of the plaintiff

Bailey, Jeremy Constitutional rights.
IT IS FURTHER ORDERED
that the order to show cause, and all
other papers attached to this application
be served on the aforesaid plaintiffs
by Date:

UNITED STATES DISTRICT JUDGE.
DATE:

_____, Yvette Kane.

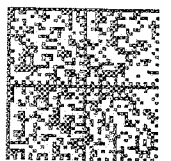
Jeremy Bailey #L2443+
(SCI) Coal Township
1 Kelley Drive
Coal Township PA 17866

RECEIVED
SCRANTON

JUL 23 2021

PER SP
DEPUTY CLERK

INMATE MAIL
PA DEPT OF
CORRECTIONS



U.S. POSTAGE® PINEY BOWES
ZIP 17866 \$001.50⁰
02 4M
0000365961 JUL 21 2021

YETTE KANE
DISTRICT Judge
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
235 NORTH WASHINGTON AVENUE
P.O. Box 1148
SCRANTON, PA 18501-1148